



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, WASHINGTON, D.C., 20231, ON:

Date: March 27, 2001 By: James O. Bryant

Patent  
Attorney's Docket No. APF 37.20

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
	)	
Scott UMLAUF	)	
	)	
Application No.: 09/705,022	)	Group Art Unit: 3763
	)	
Filed: November 1, 2000	)	Examiner: Not Yet Assigned
	)	
For: Nucleic Acid Vaccine Compositions Having	)	
A Mammalian CD80/CD86 Gene Promoter	)	
Driving Antigen Expression	)	

**REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT**

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

Sir:

Enclosed is a copy of the Official Filing Receipt marked in red to show the correction that is needed. The correction is as follows.

The correct continuing data is as follows: THIS APPLN CLAIMS BENEFIT OF 60/163,195 11/03/1999. The filing receipt incorrectly shows 60/153,195 09/10/1999. Issuance of a corrected Official Filing Receipt is respectfully requested.

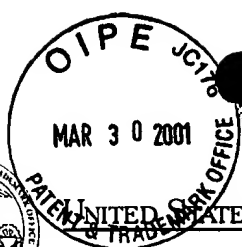
☒ [X] This Request for Corrected Official Filing Receipt is being filed to correct a Patent Office error. No fee is required.

Respectfully submitted,

POWDERJECT TECHNOLOGIES INC.

By: Thomas P. McCracken  
Thomas P. McCracken  
Registration No. 38,548

6511 Dumbarton Circle  
Fremont, CA 94555



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/705,022	11/01/2000	3763	0.00	APF 37.20	9	41	6

CONFIRMATION NO. 6814

## FILING RECEIPT



\*OC000000005713292\*

Powderject Technologies Inc  
6511 Dumbarton Circle  
Fremont, CA 94555

**RECEIVED**

FEB 05 2001

PowderJect Technologies  
Legal Department

Date Mailed: 01/29/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Scott Umlauf, Madison, WI;

## Continuing Data as Claimed by Applicant

60/163,195 11/03/1999  
THIS APPLN CLAIMS BENEFIT OF ~~60/153,195 09/10/1999~~

## Foreign Applications

If Required, Foreign Filing License Granted 01/26/2001

Projected Publication Date:

Non-Publication Request: No

Early Publication Request: No

## Title

Nucleic acid vaccine compositions having a mammalian cd80/cd86 gene promoter driving antigen expression

## Preliminary Class

604

Data entry by : BRITTON, PAULA

Team : OIPE

Date: 01/29/2001



**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 36 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- o The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- o The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- o The title may be truncated if it consists of more than 600 characters (letters and spaces combined).
- o The docket number allows a maximum of 25 characters.
- o If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- o The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
 Office of Initial Patent Examination  
 Customer Service Center  
 Washington, DC 20231





H-4 Box 156A Sector 5  
PATENTS  
Pocket Ref. No.: APF 37.20

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE WITH SUFFICIENT POSTAGE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: BOX MISSING PARTS, COMMISSIONER FOR PATENTS, WASHINGTON, D.C., 20231, ON:

Date: March 27 2001 By: Jami R. Beljard

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Patent Application of:

Scott UMLAUF

Application No.: 09/705,022

Group Art Unit: Not Yet Assigned

Filing Date: 1 November 2000

Examiner: Not Yet Assigned

Title: NUCLEIC ACID VACCINE COMPOSITIONS HAVING A MAMMALIAN CD80/CD86 GENE PROMOTER DRIVING ANTIGEN EXPRESSION

**FEE TRANSMITTAL**

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice to File Missing Parts of Application, mailed 29 January 2001, attached is a check in the amount of \$1,458.00 for payment of the filing fees and surcharge as indicated on the Notice. No additional fees are believed to be necessary.

Authorization to charge additional fees as may be required with this reply or credit any overpayment to deposit account no. 50-0828 is given.

Respectfully submitted,

16 March 2001  
Date

Thomas P. McCracken  
Thomas P. McCracken  
Reg. No. 38,548

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## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/705,022	11/01/2000	Scott Umlauf	APF 37.20

CONFIRMATION NO. 6814

## FORMALITIES LETTER



\*OC00000005713293\*

Powderject Technologies Inc  
6511 Dumbarton Circle  
Fremont, CA 94555

Date Mailed: 01/29/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$618.
  - \$378 for 21 total claims over 20.
  - \$240 for 3 independent claims over 3.
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1458.

*A copy of this notice MUST be returned with the reply.*

*Paula C. Br...*  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

04/02/2001 FFAMEIA 00000032 09705022  
01 FC:101 710.00 00  
02 FC:102 240.00 00  
03 FC:103 378.00 00  
04 FC:105 130.00 00